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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION
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12 ELDEN E. PIERCE, JR.,)

13 Plaintiff,)

14 v.)

15 J&J ENTERPRISES, INC., et. al,)

16 Defendants.)
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Case No.: C06-4991 PVT

**ORDER DENYING REQUEST FOR
ORDER SHORTENING TIME FOR
MOTION FOR REMAND;
VACATING PRETRIAL DATES AND
SETTING FURTHER CASE
MANAGEMENT CONFERENCE**

18 On April 27, 2007, Intervenor Cornerstone Propane filed a Motion to Remand and a
19 Stipulated Request for an Order Shortening Time for Hearing on the Motion to Remand. The
20 Request for an Order Shortening Time sought to hold the hearing on May 8, 2007, six court days
21 later. The Proposed Order did not set forth dates for Opposition or Reply briefing. The
22 Declaration in support of the Request for an Order Shortening Time explained that a hearing on
23 May 8, 2007 is necessary in light of the upcoming deadlines for expert discovery and hearing of
24 dispositive motions as well as the approaching dates for a pretrial conference and trial.

25 Six court days is insufficient time for the parties and the court to prepare for a motion to
26 remand. Pre-trial preparation, however, is not warranted at this time in light of the pending
27 motion for remand. Accordingly, It Is Hereby Ordered that:

- 28 1. The Request for an Order Shortening Time is Denied and the Motion for

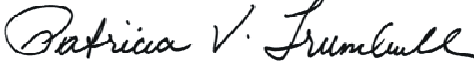
1 Remand shall be heard on June 12, 2007 at 10:00 a.m.; Opposition is due
2 May 22, 2007; and Reply is due May 29, 2007;

3 2. The deadlines for Expert Discovery, Dispositive Motion Hearing, Final
4 Pretrial Conference, and Trial are hereby VACATED; and

5 3. A Further Case Management Conference shall be held on July 10, 2007 at
6 2:00 pm.

7 IT IS SO ORDERED.

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9 Dated: April 30, 2007

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11 PATRICIA V. TRUMBULL
12 United States Magistrate Judge
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